

IP
MAR 14 2003
PATENT OFFICE
In Re Application Of: David O. McGoveran
Serial No. 09/476,711
Filed: Dec. 30, 1999
For: A Declarative Method

Examiner:
Group Art Unit:
Atty. Docket No:
Date:

Andre Boyce
2163
McG-003
Mar.14,2003

#10/2003
#16/Response

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AMENDMENT

This is in response to the Final Office action dated Oct. 10, 2002.

IN THE SPECIFICATION

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This application was filed Dec. 30, 1999. It was eventually assigned to the current Examiner, who issued a First Office Action on March 28, 2002, objecting to both the original specification and claims. As the First Office Action seemed to indicate that the Examiner had not comprehended subtle but important definitions and distinctions in the original application, it was amended to incorporate new material intended to clarify and make more definite both the prior art and teaching of the application. No new matter was intended to be or was included. Applicant's response to that First Office Action was directed to the objections raised and prior art discussed by the Examiner.

Subsequently, Examiner rejected Applicant's application in a Final Office Action, citing two principal grounds. The first was an accusation of "new matter" in the amended application (in both the specification and claims); the second was an assertion of anticipation by a prior publication. Citing to the first ground for rejection, Examiner did not respond to nor examine the objected-to amended claims; more particularly, Examiner failed to respond to the claims in the context of the new material. The Examiner then